

महाराष्ट्र शासन राजपत्र असाधारण भाग एक-मध्य उप-विभाग

वर्ष ९, अंक १]

बुधवार, जानेवारी ४, २०२३/पौष १४, शके १९४४

[पृष्ठे १४, किंमत : रुपये ४.००

असाधारण क्रमांक १

प्राधिकृत प्रकाशन

नगर विकास विभाग

हैद्राबाद हाऊस, शिबिर कार्यालय, नागपूर, दिनांक २८ डिसेंबर, २०२२.

अधिसूचना

महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६.

क्रमांक टिपीएस-१८१८/प्र.क्र.२३६/१८(भाग-४)/कलम-३७(१कक)(ग) व कलम २०(४)/फेरबदल/निव-१३.—ज्याअर्थी, महाराष्ट्र शासनाने राज्यातील बृहन्मुंबई महानगरपालिका, बृहन्मुंबई महानगरपालिका क्षेत्रातील नियोजन प्राधिकरणे / विशेष नियोजन प्राधिकरणे / विशेष नियोजन प्राधिकरणे / विशेष नियोजन प्राधिकरणे / विकास प्राधिकरणे, महाराष्ट्र औद्योगिक विकास महामंडळ, नैना, जवाहरलाल नेहरु पोर्ट ट्रस्ट, हिल स्टेशन नगरपालिका, पर्यावरण, वन व हवामान बदल मंत्रालयाने अधिसूचित केलेली संवेदनशील क्षेत्रे व लोणावळा नगरपरिषद तसेच नियोजन प्राधिकरण म्हणून सिडको कार्यरत असलेले क्षेत्र, पिंपरी-चिंचवड नवनगर विकास प्राधिकरण, मिहान, एमएडीसी, एमएसआरडीसी, ही नियोजन प्राधिकरणे वगळता उर्विरत सर्व नियोजन प्राधिकरणे व प्रादेशिक योजना क्षेत्रांकिरता लागू करावयाच्या एकित्रकृत विकास नियंत्रण व प्रोत्साहन नियमावलीस ("युडीसीपीआर") (यापुढे ज्याचा उल्लेख "उक्त नियमावली" असा करण्यात आलेला आहे). महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख "उक्त अधिनियम" असा करण्यात आलेला आहे) मधील तरतुर्दीनुसार, शासन अधिसूचना क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८/ वि.यो. व प्रा.यो./कलम ३७(१कक)(ग) व कलम २०(४)/ निव-१३, दि.०२/१२/२०२० अन्वये मंजुरी दिली असून सदर नियमावली, पुणे महानगर प्रदेश विकास प्राधिकरण व रत्नागिरी जिल्हा प्रादेशिक योजनेचे क्षेत्र वगळता, दि.०३/१२/२०२० पासून अंमलात आली आहे;

आणि ज्याअर्थी, शासनाने नियोजन प्राधिकरण म्हणून सिडकोचे क्षेत्र, पिंपरी-चिंचवड नवनगर विकास प्राधिकरण क्षेत्र, मल्टीमोडल इंटरनॅशनल हब एअरपोर्ट (मिहान) अधिसूचित क्षेत्र, विशेष नियोजन प्राधिकरण म्हणून महाराष्ट्र विमानतळ विकास कंपनी लि.चे (एमएडीसी) शिर्डी विमानतळ अधिसूचित क्षेत्र आणि विशेष नियोजन प्राधिकरण म्हणून महाराष्ट्र राज्य रस्ते विकास महामंडळाचे अधिसूचित क्षेत्र, या क्षेत्रांना उक्त मंजूर एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावली लागू करण्यासाठी उक्त अधिनियमाच्या कलम ३७(१कक) व कलम २०(३) अन्वये अनुक्रमे सूचना क्र.टिपीएस-१८१८/प्र.क्र. २३६/१८/कलम ३७(१कक) व कलम २०(३)/नवि-१३, दि.०२/१२/२०२० आणि सूचना क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८/कलम २०(३)/नवि-१३, दि.०२/१२/२०२० (यापुढे ज्याचा उल्लेख "उक्त सूचना" असा करण्यात आलेला आहे) प्रसिध्द केल्या असून कलम १५४ नुसार अनुक्रमे निर्णय क्र.टिपीएस-

१८१८/प्र.क्र.२३६/१८/कलम ३७(१कक) व कलम २०(३)/नवि-१३, दि.०२/१२/२०२० आणि क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८/ कलम २०(३)/ नवि-१३, दि.०२/१२/२०२० अन्वये निदेश दिलेले आहेत;

आणि ज्याअर्थी, कलम ३७(१कक) अन्वये उक्त सूचनेद्वारे प्रसिध्द उक्त नियमावलीस शासनाने अधिसूचना क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८(भाग-३)/कलम ३७(१कक)(ग) व कलम २०(४)/नवि-१३, दि.१२/१०/२०२२ अन्वये, नवनगर विकास प्राधिकरणाच्या माध्यमातून नियोजन प्राधिकरण म्हणून सिडको क्षेत्रासाठीच्या उक्त नियमावलीस मंजुरी दिली आहे;

आणि ज्याअर्थी, उक्त नियमावलीतील काही तरतुदींची अंमलबजावणी करण्यासंदर्भात येणाऱ्या अडचणींचे निराकरण होण्याच्या दृष्टीने त्यामध्ये सुधारित करणेबाबत ठाणे महानगरपालिका तसेच अन्य काही संस्थांकडून प्राप्त निवेदने विचारात घेऊन उक्त नियमावलीतील काही तरतुदींमध्ये सुधारणा करणे (यापुढे ज्याचा उल्लेख "उक्त प्रस्तावित फेरबदल" असा करण्यात आलेला आहे) आवश्यक आहे, असे शासनाचे मत झाले;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ३७(१कक)(क) व कलम २०(३) मधील तरतुदींप्रमाणे शासनास प्राप्त अधिकारांनुसार उक्त प्रस्तावित फेरबदलाबाबत शासन नगर विकास विभागाने इरादा जाहीर केला आणि प्रस्तावित फेरबदलासंदर्भात आम जनतेकडून सूचना/हरकती मार्गावण्यासाठी सूचना क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८/कलम ३७(१कक) व कलम २०(३)/निव-१३, दि.१८/०१/२०२२ अन्वये सूचना प्रसिध्द केली असून सदर सूचना दि.२७ जाने. - ०२ फेब्रु., २०२२ रोजीच्या महाराष्ट्र शासन राजपत्र, भाग एक-मध्य उप-विभाग मध्ये प्रसिध्द झाली आहे. तसेच प्राप्त होणाऱ्या सूचना/हरकतीवर संबंधितांना सुनावणी देण्याकरिता आणि संबंधित नियोजन प्राधिकरणांचे म्हणणे घेऊन त्यावरील अहवाल शासनास सादर करण्याकरिता संबंधित विभागीय सहसंचालक, नगररचना यांची 'अधिकारी' म्हणून (यापुढे 'उक्त अधिकारी' असे उल्लेखिलेले) नियुक्ती करण्यात आली;

आणि ज्याअर्थी, संबंधित उक्त नियुक्त अधिकारी यांनी, ज्याप्रमाणे लागू असेल त्याप्रमाणे, उक्त अधिनियमाच्या कलम ३७(१कक) आणि कलम २० मधील तरतुदींनुसारची, वैधानिक कार्यवाही पूर्ण करून त्यांचे अहवाल शासनास सादर केले आहेत;

आणि ज्याअर्थी, संबंधित उक्त नियुक्त अधिकारी यांचे अहवाल विचारात घेतल्यानंतर आणि संचालक, नगररचना, महाराष्ट्र राज्य यांचेशी सल्लामसलत केल्यानंतर आणि आवश्यक ती चौकशी केल्यानंतर, उक्त प्रस्तावित फेरबदल, काही सुधारणांसह मंजूर करणे आवश्यक असल्याचे शासनाचे मत झाले आहे;

आता त्याअर्थी, उक्त अधिनियमाच्या कलम ३७(१कक)(ग) आणि कलम २०(४) अन्वये प्रदत्त असलेल्या अधिकारांचा वापर करून शासन याद्वारे :-

- (अ) उक्त मंजूर एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीतील उक्त प्रस्तावित फेरबदलास, काही सुधारणांसह, सोबतच्या परिशिष्ट-अ मध्ये सविस्तरपणे नमूद केल्याप्रमाणे, मंजुरी देत आहे.
- (ब) सदर मंजूर फेरबदल, सदर अधिसूचना शासन राजपत्रात प्रसिध्द झाल्याच्या दिनांकापासून अंमलात येईल, असे निश्चित करीत आहे.

प्रस्तुत अधिसूचना, त्यासोबतच्या परिशिष्टासह, सर्व संबंधित नियोजन प्राधिकरणे / समुचित प्राधिकरणे आणि नगररचना आणि मूल्यनिर्धारण विभागाची सर्व विभागीय कार्यालये, सर्व जिल्हा शाखा कार्यालये, सर्व जिल्हाधिकारी कार्यालये, सर्व जिल्हापरिषदा कार्यालये यांचे कार्यालयात नागरिकांच्या अवलोकनार्थ १ महिन्याच्या कालावधीसाठी उपलब्ध राहील.

प्रस्तुत फेरबदलाची अधिसूचना, त्यासोबतच्या परिशिष्टासह, शासनाचे अधिकृत संकेतस्थळ www.maharashtra.gov.in (कायदे / नियम) येथे उपलब्ध करण्यात येत आहे.

परिशिष्ट-अ

अधिसूचना क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८(भाग-४)/कलम ३७(१कक)(ग) आणि कलम २०(४)/फेरबदल/नवि-१३, दि.२८/१२/२०२२ सोबतचे सहपत्र

	e uses in ner 10% proposed R, as per	Remarks					In addition	parking	In addition	in addition 5% visitor	narking	e mule		In addition	5% visitor	parking)			In addition	5% visitor	parking
	or indus rmissible ride eith in the p mity TDI	<u>~</u>	ted		0	Ŧ	ਜ 9 \$	Dai	2, 1	111 20%	100			In	5%	Dai	-		<u> </u>	In	2%	paı
	cated for the per the per provent prov	equired	Non Congested	Area		W heeler	1	7			1	7					71				7	
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मंजूर फेरबदलानुसारची तरतूद	ze which ourpose or / develop r 5% bui y on groun I be permi	Parking Spaces Required	Congested	Area		Wheeler	-	7			1	√					% I				1	
दलानुस	e in si ential p wner land o eferabl		0		Car		ر		+							h		+	0	0	1 1	bn
मंजूर फेरब	The land having area up to <u>1.0 hectare</u> in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential/Commercial Zone. The owner / developer shall provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.	Size of tenement					For every tenement	150 sq.m. and above.	For avery tenemen	having carnet area	equal to or above 80	som hit less than	150 sq.m.	For every two	ments with	tenement having	O	or above 40 sq.m. but	less than 80 sq.m.	For every two	tenements with each	tenement having
	he land having ar hay be permitted to esidential/Comme menity space in onstruction at appu	Sr. Occupancy				:	1 Residential	Family	recidential	Lesidelliai												
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	ible use: either 1 either 1 e propc	Remarks				In addition	5% visitor	parking		In addition	5% visitor	parking			In addition	5% visitor	parking					In addition
	ther permiss labeled for in provide space in the Amenity []	ired	Non Congested	Area	Scooter		"	ò				က						w				2
hr	is allocany of any of ser shall the state of	es Redu	Non (,	Car		c	ı				1						-				1
गरची तरतू	rrpose or develope 5% built on ground permissib	Parking Spaces Required	Congested Area		Scooter		,	1				7						4				1
पीआरनुस	re in sizential purament / Jamen / Jamen or sterably shall be	Pa	Congest		Car		c	1				_						-				1
मंजूर युडीसीपीआरनुसारची तरतूद	The land having area up to 0.20 hectare in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential Commercial Zone. The owner / developer shall provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.	Size of tenement				For every tenement	Multi- having carpet area	of 150 sq.m. and	above.	For every tenement	having carpet area	equal to or above 80	sq.m. but less than	150 sq.m.	For every two	tenements with	each tenement	having carpet area	equal to or above	40 sq.m. but less	than 80 sq.m.	For every two
	land having are be permitted to dential. Comme nity space in t truction at apprelation containing	Occupancy				Residential	i) Multi- i		residential	T	41	e	Sa	1		1	•	<u> </u>	ę	7	1	-
	The may Residuate amer constructions.	S.			Ц	-																
विनियम क्रमांक	4.8.1 (vi)	8.2.1 Table No.	8B																			

	tenements with each tenement having carpet area					5% visitor parking			carpet area less than 40 Sq.m. but more than 30 sq.m.				
	less than 40 Sq.m. but more than 30 sq.m.								For every two tenements with each tenement having	0	2 0	71	In addition 5% visitor parking
	For every two tenements with					In addition 5% visitor			carpet area less than 30 Sq.m.				
	tene pet Sq	0	4	0	4	parking	4 2 4	Educational Schools and the	For every 100 sq.m. carpet area of the administrative as				
Schools and the administra-	-	-	4	74	4	l	2	administra- tive as well as public service areas therein	well as public service area of the school.	-	4 2	4	1
tive as well as public service areas therein	il service area of the ic school.								For every 3 class rooms	1) 5 two three ck 2) The n parking	5 two wheelers three class rooms. The number of parking shall be at	5 two wheelers for every three class rooms. The number of mini bus parking shall be at the rate of	
	For every 3 class rooms	1 (mini Bus)	6	2 (mini Bus)	6	I				1 bus fo students	r every 40 for 50% may be	1 bus for every 40 numbers of students for 50% strength of students may be provided at	
Note - i) After calculating		rounded to	nded to n	next digit.	au flinc	æ				the option developer. 3) Mini bus permitted	option of owner loper. ni bus parking shall wited on playgrou	the option of owner / developer. 3) Mini bus parking shall be pernitted on playground	
iii) In the case of shops, iv) Mechanical/Hydraulic /	iii) In the case of shops, need not be insisted. iv) Mechanical/Hydraulic / be allowed to meet the requirement.	need not allowed	need not be insisted.be allowed to meet the	d. he requir	ement.	j				except 6	uring sch	except during school timings.	
v) Parking more than 50% hospital, educational building	over s, such	above ges shall such sanc	and above public charges shall not be leviable. - for such sanctioned permission,	pub viable. rmission	lic semi-ŗ 1,	public semi-public, hotel, eviable.		i) After calculatingi) In case of independentii) In the case of shops,	nt	rounded to ney - and maximum 18.0 - need not be insisted.	rounded to next digit. Id maximum 18.0 sq.m. bed not be insisted.	rounded to next digit and maximum 18.0 sq.m. built up area need not be insisted.	ıp area.
or If the building permiss vi) In case of plan fo parking units required.	or If the building permission proposal to the Authority free of cost. vi) In case of plan for additional to arrive the neparking units required.	to	the Auth	onty free - to arn	e of cost.	hority free of cost to arrive the new number of		iv) Mechanical/Hydraulic v) Parking more than 50% hospital, educational build (1) Parking requirement	/ over and ings, such	nd above public se h charges shall not be leviable.	meet the	above public semi-public, hotel, charges shall not be leviable.	nt. public, hc

		or If the building permission proposal to the Authority free of cost. vi) In case of plan for additional
14.8.1 i)	"Urban Renewal Scheme" (URS) means	"Urban Renewal Scheme" (URS) means
	In case of demonstrable	in consultation with LP.C. With H.P.C. However no forest land shall be included in such URS. Provided that encroached forest land may be included in such URS for clearance of encroachment on such forest land with NOC of Forest Department. However after clearance of encroachment, such forest land shall be used as mentioned in regulation 14.8.7 (i) egy with NOC of Forest Department.
14.8.5 (v)	No Provision	14.8.5. v)—(New provision) After consideration for land falling under URC to the person(s) having legal rights in land as per regulation No.14.8.8(iv)(c) is offered and provision for rehabilitation all the eligible beneficiaries of the building(s) under URC is proposed in redeveloped building(s) in URC area as per Regulation No.14.8.4. In respect of those eligible beneficiaries of authorized / unauthorized / illegal buildings and slums entitled for rehabilitation tenement in URC who do not join the scheme willingly the following steps shall be taken:— i) Provision for all of them shall be made in the rehabilitation component of the scheme.

		A A A A A A A A A A A A A A A A A A A
		ii) The actains of the tenement that would be given to them by way of autoiment on the same basis as for those who have joined the scheme will be communicated to
		them in writing by the Implementation Agency.
		iii) The transit tenement that would be allotted to them would also be indicated
		along with those who have joined the scheme.
		iv) If they do not join the scheme within 15 days after the approval for
		Implementation Agency has been given to the scheme, then action under the
		relevant provision of the M.R. &T.P. Act, as amended from time to time, shall be
		taken and their structures will be removed and it shall be ensured that no
		obstruction is caused to the scheme of the majority of persons, who have joined the
		scheme willingly.
		v) After this action under the foregoing clause is initiated, they will not be eligible
		for transit tenement along with the others and they will not be eligible for the
		reconstructed tenement, but they will still be entitled only to what is available after
		others have chosen, which may be on the same or some other site.
		vi) If they do not join till the building permission to the scheme is given, they will
		completely lose the right to any built-up tenement and their tenement shall be taken
		over by the Commissioner and to be disposed off as per MMC Act or as per
		guidelines issued by the Government from time to time and used for the purpose of
		accommodating Project Affected Persons and other beneficiaries etc. who cannot
		be accommodated in-situ.
	Consideration for any land required to be procured for URP shall be either in	Consideration for any land required to be procured for URP shall be either in terms of
	terms of payment due for entitled area collectively against that parcel of	payment due for entitled area collectively against that parcel of land, as calculated in
	land, as calculated in Regulation No. 14.8.8 (iv) (b) above as per ASR, along	Regulation No.14.8.8 (iv) (b) above as per ASR, along with 100% solatium, as
		applicable for the year of possession, along with 12% annual simple interest from
		date of possession to date of payment, or in terms of TDR equivalent to the entitled
14.8.8 iv)	in terms of TDR equivalent to the entitled area as per TDR Regulation	area as per TDR Regulation No.11.2, or in terms of equivalent area constructed in
c) i)	No.11.2 or in terms of equivalent area constructed in URS. Concerned	URS, or in terms of developed free sale vacant plot of area equal to 50% of entitled
	person(s) shall have option to choose from amongst these three modes of	area calculated as per clause (i), (ii), (iii) and (iv) of Regulation No.14.8.8 (iv) (b)
	consideration. The option once chosen shall be registered and shall be	above, with base FSI of 1.1 in the same URC fronting on same road width as
	irrevocable.	original plot, subject to availability of land. Concerned person(s) shall have option to
		choose from amongst these four modes of consideration. The option once chosen
		shall be registered and shall be irrevocable.

	Net area of URC shall be calculatedFree Sale	Free Sale Net area of URC shall be calculated Free
	Plots shall be deemed to belong to C1/C2 Zone for the purposes of permissible users Sale Plots shall be deemed to belong to C1/C2 Zone for the purposes of permissible	ale Plots shall be deemed to belong to C1/C2 Zone for the purposes of permissible
	thereon.	users thereon.
		Provided that, in exceptional cases, the above percentage of free sale plot may
14000	•	further be enhanced beyond 50% in order to make scheme viable and minimize
14.8.9 I)		generation of URT, subject to fulfilment of following conditions, subject to the
		approval of HPC:-
		a) 100% in-situ rehabilitation:
		b) no dilution more than what is mentioned in Regulation No.14.8.7, in the area of
		development plan reservations.
	If an owner or group of owners or proposed co-op. Hsg. Society of occupants or	Hsg. Society of occupants or If an owner or group of owners or proposed co-op. Hsg. Society of occupants or
	federation of occupants, either directly or through a Power of Attorney Holder,	a Power of Attorney Holder, federation of occupants, either directly or through a Power of Attorney Holder,
	collectively owning more than 51% of the area of URC or a part thereof, come forward for	a part thereof, come forward for collectively owning more than 51% of the area of URC or a part thereof, come
	implementation of URS as per the Detailed Plan prepared by the Commissioner for such forward for implementation of URS as per the Detailed Plan prepared by the	orward for implementation of URS as per the Detailed Plan prepared by the
	URC, within 3 months of declaration of the detailed plans of URC, or within such	plans of URC, or within such Commissioner for such URC, within 3 months of declaration of the detailed plans of
	extended period as may be granted by the Commissioner, they may be selected as URC, or within such extended period as may be granted by the Commissioner, they	JRC, or within such extended period as may be granted by the Commissioner, they
14.8.10	Implementation Agency for implementation of URS on such URC. In such a case, an may be selected as Implementation Agency for implementation of URS on such URC.	nay be selected as Implementation Agency for implementation of URS on such URC.
	Infrastructural charges at the rate of 10% of construction cost as per prevailing ASR to be In such a case the infrastructure should be developed by the Implementing Agency	n such a case the infrastructure should be developed by the Implementing Agency
	received by the Corporation. In case owners / stakeholders owning more than 51% of at their own cost, otherwise an Infrastructural charges at the rate of 10% of	t their own cost, otherwise an Infrastructural charges at the rate of 10% of
	whole or part area of URS as mentioned above fail to come together, selection of an	come together, selection of an construction cost of buildings of rehab & free sale component (excluding
	implementation agency for the URS shall be done through a transparent bid process.	infrustructure) as per prevailing ASR to be received by the corporation. In case
		owners / stakeholders owning more than 51% of whole or part area of URS as
		mentioned above fail to come together, selection of an implementation agency for the
		URS shall be done through a transparent bid process.
	Following new note is added below Reg. No. 14.8.20	
1	Foot Note – If any correction / changes are needed in URS Regulation for the benefit of URC or for success of URC scheme, the decision can be taken at HPC level and	URC or for success of URC scheme, the decision can be taken at HPC level and
	subsequently should be communicated to the Government to incorporate such decision in this Regulation.	is Regulation.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने

किशोर गोखले, शासनाचे अवर सचिव.

URBAN DEVELOPMENT DEPARTMENT

Hydrabad House, Camp Office, Nagpur, dated the 28th December, 2022.

NOTIFICATION

THE MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPS-1818/CR-236/18 (Part-4)/Sec.37(1AA)(c) & Sec.20(4)/Modification/UD-13.—Whereas, the Government of Maharashtra has sanctioned the Unified Development Control and Promotion Regulations ('UDCPR') (hereinafter referred to as 'the said Regulations') for the state except Municipal Corporation of Greater Mumbai, other Planning Authorities / Special Planning Authorities / Development Authorities within the limits of Municipal Corporation of Greater Mumbai, MIDC, NAINA, Jawaharlal Nehru Port Trust, Hill Station Municipal Councils, Eco-Sensitive/ Eco-Fragile region notified by MoEF & CC and Lonavala Municipal Council and Area under CIDCO's jurisdiction as Planning Authority, PCNTDA, MIHAN, MADC, MSRDC, in Maharashtra under the provisions of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as 'the said Act') vide Notification No.TPS-1818/CR.236/18/DP. & RP./Sec.37 (1AA)(c) & sec.20(4)/UD-13, dated 02/12/2020 which has come into force from 03/12/2020, excluding area of Pune Metropolitan Region Development Authority and Regional Plan of Ratnagiri District;

And whereas, to make applicable the said sanctioned Unified Development Control and Promotion Regulations for the area of CIDCO as Planning Authority, for the area of Pimpri-Chinchwad New Town Development Authority, for the area of Multi-Model International Hub Airport Notified area (MIHAN), for Shirdi Airport Notified area of Maharashtra Airport Development Company Ltd. (MADC) as Special Planning Authority and for notified area of Maharashtra State Road Development Corporation as Special Planning Authority, the Government has published Notices under section 37(1AA) & section 20(3) of the said Act, bearing No.TPS-1818/CR-236/18/Sec.37(1AA) & Sec.20(3)/UD-13, dated 02/12/2020 and No.TPS-1818/CR-236/18/Sec.20(3)/UD-13, dated 02/12/2020 (hereinafter referred to as 'the said Notice') respectively, along with directives under section 154 of the said Act, 1966 *vide* resolutions No.TPS-1818/CR-236/18/ Sec.37(1AA) & Sec.20(3)/UD-13, dated 02/12/2020 and No.TPS-1818/CR-236/18/ Sec.20(3)/UD-13, dated 02/12/2020 respectively;

And whereas, the said Regulations published u/s.37(1AA) *vide* the said Notice has been sanctioned by the Government *vide* Notification No.TPS-1818/CR-236/18(Part-3)/ Sec.37(1AA)(c) & Sec.20(4)/UD-13, dated 12/10/2022, for the area of CIDCO as Planning Authority by virtue of New Town Development Authority;

And whereas, considering the representations received from Thane Municipal Corporation and some other Organisations with respect to difficulties in implementation of some of the provisions in the said Regulations, the Government is of opinion that, to remove such difficulties, it is necessary to modify some provisions of the said Regulations (hereinafter referred to as 'the said Modification');

And whereas, in exercise of the powers conferred under section 37(1AA)(a) and section 20(3) of the said Act, the Government in Urban Development Department has declared its intention regarding the said Modification and published a Notice No.TPS-1818/CR-236/18/Sec.37(1AA) & Sec.20(3)/UD-13, dated 18/01/2022 to that effect, for inviting suggestions/objections from the general public, which appeared in the *Maharashtra Government Gazette*, Part-1-Central sub-division dated 27 Jan. - 03 Feb., 2022. Also concerned Divisional Joint Directors of Town Planning are appointed as an 'Officer' (hereinafter referred to as 'the said Officers') to hear the suggestions and objections which are received and also say of the respective Planning Authorities and submit their reports to the Government;

And whereas, the said Officers have submitted their reports to the Government after completing the legal procedure as contemplated under section 37(1AA) and 20(3) of the said Act, as the case may be;

And whereas, after considering the reports of the said Officers and after consulting the Director of Town Planning, Maharashtra State and after necessary enquires the Government is of the opinion that, the said Modifications needs to be sanction, with some changes;

Now therefore, in exercise of the powers conferred under section 37(AA)(c) and section 20(4) of the said Act, the Government hereby :—

- (A) Sanctions the said Modification, with some changes, in the said sanctioned Unified Development Control and Promotion Regulations, as specifically mention in *Schedule-A* appended herewith.
- (B) Fixes the date of publication of this Notification in Government Gazette as the date of coming into force of the said sanctioned Modification.

This Notification along with the schedule shall be available in the offices of all concerned Planning Authorities / Appropriate Authorities and all Divisional Offices and District Branch Offices of Town Planning and Valuation Department, all Collector Offices, all Zilla Parishad Offices for inspection of general public for a period of one month.

This notification of modification along with the schedule is made available on official Government website www.maharashtra.gov.in (Acts/Rules)

Schedule-A

Accompaniment of Notification No.TPS-1818/CR.236/18(Part-4)/Sec.37(1AA)(c) & Sec.20(4)/Modification/UD-13, dated 28/12/2022

	aible uses in either 10% he proposed TDR, as per	Remarks				In addition 5% visitor	parking	In addition 5% visitor	parking		In addition	5% visitor	parking			In addition	5% visitor	parking	
	ated for in the permiss provide pace in the Amenity	uired	Non Congested Area	Two	Wheeler	Ī			Ī				⊘ I				c	4	
cation	s allocany other shall in the shall shall.	ices Req	Non (Car		2			-				-					-	
ned Modiff	urpose or a develope 5% built on ground	Parking Spaces Required	Congested Area	Two	Wheeler	ī			Ŧ				7				-	-	
sanctio	e in sizential property of the sizential property of land or ferably shall		<u>ರ</u>	Car		t 2			-	_		_				_	_		
Provision as per sanctioned Modification	The land having area up to <u>I.0 hectare</u> in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential/Commercial Zone. The owner / developer shall provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.	Size of tenement				For every tenement having carpet area of	150 sq.m. and above.	For every tenement having carpet area	equal to or above 80	sq.m. but tess than 150 sq.m.	For every two		tenement having carnet area equal to	or above 40 sq.m. but	less than 80 sq.m.	For every two	tenements with each	tenement having	carpet area less than
	he land having are as be permitted to esidential/Commenently space in the matruction at appragulation containin	Sr. Occupancy				tial fulti-	Family	residential											
				<u> </u>	Te	<u> </u>		Ę	<u></u>		<u> </u>	= ;						g	
1	ndustrial uses sible uses either 10 he propos TDR, as p	Remarks			In addition	5% visitor parking		In addition	5% visitor parking		.,	In addition	parking					In addition	5% visitor
	cated for in ther permiss II provide space in t	iired	Non Congested Area	Scooter		ю			ю					w				c	7
DCPR	is allo any or er sha ilt up id floor	ces Requ	Non	Car		2			1					1				1	T
ioned UDG	urpose or develop r 5% bui on groun	Parking Spaces Required	Congested Area	Scooter		2			7					4				1	1
er sanct	ential powner land or sferably shall be	d.	Conges	Car		64			_					_				-	1
Provision as per sanctioned U	The land having area up to 0.20 hectare in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential/ Commercial Zone. The owner / developer shall provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.	Size of tenement			For every tenement	Multi- having carpet area of 150 sq.m. and	above.	For every tenement	having carpet area equal to or above 80	sq.m. but less than	sq.m.	For every two	tene	having carpet area	equal to or above	40 sq.m. but less	than 80 sq.m.	For every two	tenements with
	e land having are y be permitted to sidential/ Commenty space in the struction at apprunation containing	r. Occupancy			Residential	i) Multi- I Family	residential		-			. +		1			<u></u>		
		o. No			-	•													
Regulation No.	4.8.1 (vi)	8.2.1 Table No.	8B																

In addition 5% visitor 0 2 0 2 parking	1 4 2 4	1) 5 two wheelers for every three class rooms. 2) The number of mini bus parking shall be at the rate of 1 bus for every 40 numbers of	students for 50% strength of students may be provided at the option of owner / developer. 3) Mini bus parking shall be permitted on playground except during school timings.	Note - i) After calculating
	icational For every 100 sq.m. ools and carpet area of the administrative as initiatra. well as public service as public public itse	For every 3 class rooms	94	Note - i) After calculating
	Sch Sch He adm tive as as serv serv			Note - i) After ci ii) In case iii) In the iiv) Mech v) Parkin hospital, (
parking In addition 5% visitor	parking		l Si	sted. public semi-public, hotel, leviable. permission, athority free of cost. to arrive the new number of
	4 4	c	(mini 9 Bus) a next digit.	rement. lic semi-p. n, e of cost. ve the nev
,	0 0	2 (s) (mini s) (mini s) (Bus) (Pus) (Pu	need not be missisted. be allowed to meet the requirement. nd above public semicharges shall not be leviable. for such sanctioned permission,
	4 4	c	Bus) 9 rounded to and maximum 1:	need not be massed be allowed to meet the and above h charges shall not be levi for such sanctioned per
	0 1	- <u>;</u>	Bus) Bus) - and ma	- need no be allowe above arges sha r such sa
g cal han ' nore eve	each tenement having carpet area less than 30 Sq.m. For every 100 sq.m. carpet area of the administrative as well as public every one of the service area of the service area.		ns it	over a s, such
	4 Educational Schools and the administra-	as public service areas therein	Note - i) After calculating ii) In case of independent	in) in the case of snops, iv) Mechanical/Hydraulic / v) Parking more than 50% over an hospital, educational buildings, such c (1) Parking requirement or If the building permission proposal vi) In case of plan for additional parking units required.

		If the building permission proposal to the Authority free of cost. vi) In case of plan for additional
	"Urban Renewal Scheme" (URS) means for urban	"Urban Renewal Scheme" (URS) means for urban
	renewal:- However, in specific cases, in which URS is not bounded by roads, nallahs and	renewal:- However, in specific cases, in which URS is not bounded by roads, nallahs and
		railway lines etc. and / or, areas of any vacant or encroached land situated in the
	Commissioner, in consultation with High Power Committee (H.P.C.)	periphery of 400 mt. belonging to Municipal Corporation / any Public Authority / Planning Authority / Special Planning Authority, which is not contiguous, is
		proposed to be included in the URS, then the boundaries of such cluster having non-contiguous area can be decided/finalised the by Municipal Commissioner, in
14.8.1 i)		consultation with High Power Committee (H.P.C.).
	In case of demonstrable in consultation with HP.C.	In case of demonstrable in consultation with H.P.C.
	However no forest land shall be included in such URS.	However no forest land shall be included in such URS. Provided that encroached
		forest land may be included in such URS for clearance of encroachment on such forest land with NOC of Forest Department. However after clearance of
		encroachment, such forest land shall be used as mentioned in regulation 14.8.7 (i)
		(g) with NOC of Forest Department.
	No Provision	14.8.5. v)—(New provision) After consideration for land falling under URC to the person(s) having legal
		rights in land as per regulation No.14.8.8(iv)(c) is offered and provision for
		rehabilitation all the eligible beneficiaries of the building(s) under URC is proposed
1485 (v)		in redeveloped building(s) in URC area as per Regulation No. 14.8.4.
(4) (2.0.1)		In respect of those eligible beneficiaries of authorized / unauthorized / illegal
		buildings and slums entitled for rehabilitation tenement in URC who do not join the
		scheme willingly the following steps shall be taken:-
		i) Provision for all of them shall be made in the rehabilitation component of the
		scheme.

		ii) The details of the tenement that would be given to them by way of allotment on
		the same basis as for those who have joined the scheme will be communicated to
		them in writing by the Implementation Agency.
		iii) The transit tenement that would be allotted to them would also be indicated
		along with those who have joined the scheme.
		iv) If they do not join the scheme within 15 days after the approval for
		Implementation Agency has been given to the scheme, then action under the
		relevant provision of the M.R. &T.P. Act, as amended from time to time, shall be
		taken and their structures will be removed and it shall be ensured that no
	-•	obstruction is caused to the scheme of the majority of persons, who have joined the
		scheme willingly.
		y) After this action under the foregoing clause is initiated, they will not be eligible
	7	for transit tenement along with the others and they will not be eligible for the
		reconstructed tenement, but they will still be entitled only to what is available after
		others have chosen, which may be on the same or some other site.
		vi) If they do not join till the building permission to the scheme is given, they will
		completely lose the right to any built-up tenement and their tenement shall be taken
		over by the Commissioner and to be disposed off as per MMC Act or as per
		guidelines issued by the Government from time to time and used for the purpose of
		accommodating Project Affected Persons and other beneficiaries etc. who cannot
		be accommodated in-situ.
	Consideration for any land required to be procured for URP shall be either in	Consideration for any land required to be procured for URP shall be either in terms of
	terms of payment due for entitled area collectively against that parcel of	payment due for entitled area collectively against that parcel of land, as calculated in
	above as per ASR, along	Regulation No.14.8.8 (iv) (b) above as per ASR, along with 100% solatium, as
		applicable for the year of possession, along with 12% annual simple interest from
	e of payment, or	date of possession to date of payment, or in terms of TDR equivalent to the entitled
14.8.8 iv)	in terms of TDR equivalent to the entitled area as per TDR Regulation a	area as per TDR Regulation No.11.2, or in terms of equivalent area constructed in
c) i)	Concerned	URS, or in terms of developed free sale vacant plot of area equal to 50% of entitled
	person(s) shall have option to choose from amongst these three modes of	area calculated as per clause (i), (iii), (iii) and (iv) of Regulation No.14.8.8 (iv) (b)
	consideration. The option once chosen shall be registered and shall be	above, with base FSI of 1.1 in the same URC fronting on same road width as
	irrevocable.	original plot, subject to availability of land. Concerned person(s) shall have option to
		choose from amongst these four modes of consideration. The option once chosen
		shall be registered and shall be irrevocable.

	Net area of URC shall be calculated Free Sale	Free Sale Net area of URC shall be calculated
	Plots shall be deemed to belong to CI/C2 Zone for the purposes of permissible users	Sale Plots shall be deemed to belong to C1/C2 Zone for the purposes of permissible
	thereon.	users thereon.
		Provided that, in exceptional cases, the above percentage of free sale plot may
14003	•	further be enhanced beyond 50% in order to make scheme viable and minimize
14.0.9 1)		generation of URT, subject to fulfilment of following conditions, subject to the
		approval of HPC:-
		a) 100% in-situ rehabilitation;
	•	b) no dilution more than what is mentioned in Regulation No. 14.8.7, in the area of
	,	development plan reservations.
	If an owner or group of owners or proposed co-op. Hsg. Society of occupants or	If an owner or group of owners or proposed co-op. Hsg. Society of occupants or
	federation of occupants, either directly or through a Power of Attorney Holder, ederation of occupants, either directly or through a Power of Attorney Holder,	federation of occupants, either directly or through a Power of Attorney Holder,
	collectively owning more than 51% of the area of URC or a part thereof, come forward for collectively owning more than 51% of the area of URC or a part thereof, come	collectively owning more than 51% of the area of URC or a part thereof, come
	implementation of URS as per the Detailed Plan prepared by the Commissioner for such forward for implementation of URS as per the Detailed Plan prepared by the	forward for implementation of URS as per the Detailed Plan prepared by the
	URC, within 3 months of declaration of the detailed plans of URC, or within such Commissioner for such URC, within 3 months of declaration of the detailed plans of	Commissioner for such URC, within 3 months of declaration of the detailed plans of
	extended period as may be granted by the Commissioner, they may be selected as URC, or within such extended period as may be granted by the Commissioner, they	URC, or within such extended period as may be granted by the Commissioner, they
14.8.10	Implementation Agency for implementation of URS on such URC. In such a case, an may be selected as Implementation Agency for implementation of URS on such URC.	may be selected as Implementation Agency for implementation of URS on such URC.
	Infrastructural charges at the rate of 10% of construction cost as per prevailing ASR to be In such a case the infrastructure should be developed by the Implementing Agency	In such a case the infrastructure should be developed by the Implementing Agency
	received by the Corporation. In case owners / stakeholders owning more than 51% of	at their own cost, otherwise an Infrastructural charges at the rate of 10% of
	whole or part area of URS as mentioned above fail to come together, selection of an	construction cost of buildings of rehab & free sale component (excluding
	implementation agency for the URS shall be done through a transparent bid process.	infrastructure) as per prevailing ASR to be received by the corporation. In case
		owners / stakeholders owning more than 51% of whole or part area of URS as
		mentioned above fail to come together, selection of an implementation agency for the
		URS shall be done through a transparent bid process.
	Following new note is added below Reg. No. 14.8.20	
	Foot Note - If any correction / changes are needed in URS Regulation for the benefit of URC or for success of URC scheme, the decision can be taken at HPC level and	TORC or for success of URC scheme, the decision can be taken at HPC level and
	subsequently should be communicated to the Government to incorporate such decision in this Regulation.	his Regulation.

KISHOR GOKHALE,

Under Secretary to Government.

By order and in the name of the Governor of Maharashtra,